



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

NOAA Fisheries Tracking No.:
2001/01365

September 2, 2004

Mr. Steve Williams
Acting Forest Supervisor
Nez Perce National Forest
Route 2, Box 475
Grangeville, Idaho 83530

Re: Amended Incidental Take Statement for the Meadow Face Stewardship Pilot Project

Dear Mr. Williams:

The document accompanying this letter replaces the corresponding sections (Sections III (F) and IV, pages 20-30) in the September 3, 2002, Biological Opinion (Opinion) for the Meadow Face Stewardship Pilot Project. The new text more clearly identifies the amount or extent of take that is anticipated in the Incidental Take Statement (ITS), and it clarifies the point where the anticipated amount or extent of take would be exceeded and would require the Nez Perce National Forest to reinitiate consultation. The terms and conditions in the ITS include modified monitoring and reporting provisions that require the Nez Perce National Forest (NPNF) to develop and implement monitoring activities that were not required in the 2002 Opinion.

Please replace Sections III (F) and IV in the 2002 Opinion, and inform the appropriate staff about the additional requirements for monitoring and reporting. Please note several important dates in the ITS. The ITS calls for the NPNF to submit a draft monitoring plan to NOAA's National Marine Fisheries Service (NOAA Fisheries) for review by November 15, 2004, and to complete the plan no later than December 1, 2004. The ITS also requires the NPNF to submit annual monitoring reports, beginning in 2005.

Mr. Dale Brege at (208) 983-3859 and Mr. Bob Ries at (208) 882-6148 are the NOAA Fisheries contacts for questions concerning this letter or the amended ITS.

Sincerely,

Michael R. Crouse

D. Robert Lohn
Regional Administrator

Attachments: Amended Incidental Take Statement
Copy of September 3, 2002, Biological Opinion

cc: J. Foss - USFWS
D. Pederson - NPNF
I. Jones - NPT
R. Hennekey - IDFG



AMENDED MEADOW FACE STEWARDSHIP PROJECT REINITIATION AND INCIDENTAL TAKE STATEMENT

F. Reinitiation of Consultation

This concludes formal consultation under the ESA on this action in accordance with 50 CFR 402.14(b)(1). As provided in 50 CFR 402.16, the NPNF is required to reinitiate consultation with NMFS if: (1) the amount or extent of take specified in the Incidental Take Statement is exceeded, or is expected to be exceeded; (2) new information or project monitoring reveals effects of the action that may affect steelhead or critical habitat in a manner or to an extent that was not considered in this Opinion; (3) the action is subsequently modified (including lack of accomplishment of offsetting mitigation) in a manner that causes an effect to steelhead or critical habitat that was not considered in this Opinion; or (4) a new species is listed or critical habitat is designated that may be affected by the action.

Because sediment deposition is correlated with the survival and production of steelhead and the proposed action is likely to deliver sediment to streams in the action area, sediment monitoring is required in this Biological Opinion (refer to Section 4.3.3). Consultation must be reinitiated if any of the following conditions occur: (1) Monitoring shows a measurable, action-caused increase in sediment deposition (as defined in the monitoring plan discussed in Section 4.2.3) in steelhead habitat outside of the areas that are 200 feet below the instream work sites for culvert replacement, road decommissioning at stream crossings, and stream channel restoration; (2) project implementation has occurred in a manner inconsistent with RPM 5; and (3) annual sediment monitoring report (described in Section 4.3.3.4) is not provided to NMFS by March 1, beginning in 2005, and each year thereafter, until the project is completed.

IV. INCIDENTAL TAKE STATEMENT

Sections 4(d) and 9 of the ESA prohibit any taking (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct) of listed species without a specific permit or exemption. "Harm" is defined as an act which actually kills or injures fish or wildlife, and may include significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including, breeding, spawning, rearing, migrating, feeding or sheltering (50 CFR Part 222, October 1, 2001). Harass is not defined in the ESA, or by Federal regulations, but is construed in this document to be an action that disrupts essential behavior patterns of a listed species, including, breeding, spawning, rearing, migrating, feeding or sheltering, to such an extent that fish are actually killed or injured. Incidental take is defined in the ESA as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to, and not intended as part of, the agency action is not considered prohibited taking provided that such taking is in compliance with the terms and conditions of this incidental take statement.

The measures described below are non-discretionary, and must be implemented by the USFS so that they become binding conditions of any grant or permit issued to an applicant, as appropriate, in order for the exemption in section 7(o)(2) to apply. The USFS has a continuing duty to regulate the activity covered in this incidental take statement. If the USFS (1) fails to assume and implement the terms and conditions, or (2) fails to require any applicants, such as permit holders or contractors, to adhere to the terms and conditions of the incidental take statement through enforceable terms that are added to the permit or grant document, the protective coverage of section 7(o)(2) may lapse.

A. Amount or Extent of the Take

NMFS anticipates that the proposed actions are reasonably certain to result in incidental take of juvenile Snake River steelhead because: (1) Snake River steelhead occur in the action area; and (2) instream work activities, such as culvert replacements and stream restoration, are known to kill, injure, harm, or harass steelhead; and (3) sediment from ground disturbances associated with road removal, soil restoration, prescribed fire, timber harvest, and road construction and reconstruction is known to cause increased sediment deposition in fish habitat. Sediment created by the proposed activities is likely to harm or kill Snake River steelhead by altering habitats required for growth and reproduction.

The anticipated amount of take of listed steelhead can be roughly estimated for instream work activities, but cannot be quantified for the remaining the project activities because: (1) The number of fish present in locations where activities cause harm or death is unpredictable because fish population sizes are likely to change over the span of the project due to year-to-year variation, and fish densities in a given location vary from transitory residence and movement among different stream reaches; (2) the amount of sediment created by from instream work, landslides, cattle grazing, and road use is highly variable cannot be predicted quantitatively; and (3) the degree of effects (lethal and sublethal) that sediments have on salmonids and their habitats depends on stochastic factors (including weather) that dictate where, when, and how much sedimentation occurs within a stream system, and whether or not fish are present at those places and times when sediment deposition is large enough to have adverse effects. The extent of incidental take is described in circumstances where the amount of take cannot be quantified (50 CFR 402.14 [i]).

Take would occur through effects of sediment in spawning and rearing areas, and through direct contact at instream work locations, as discussed in section 3.3 (effects of the proposed action on Snake River steelhead) of this Opinion. The NPNF sediment modeling reports an expected increase in sediment from logging, prescribed fire, temporary road construction, reconstruction of existing roads, and road decommissioning as a percentage over the base (historic level) of sediment within the system. Sediment from activities in stream channels, landslides greater than 10 cubic yards of material, cattle grazing, and use of logging roads is described qualitatively in this Opinion. With a fish/sediment statistical model and qualitative assessment of sediment

sources not included in the model, the NPNF indicated that the proposed activities would result in short-term degradation of spawning and rearing habitat from sediment-producing activities, followed by long-term improvements in these habitats due to permanent reductions in sediment from roads.

The extent of take includes all portions of the action area exposed to sediment deposition and potential injuries from instream work activities. The extent of take related to sediment deposition includes all stream channel reaches in the Meadow Creek drainage that are downstream from sediment-producing activities. Within this extent, take is anticipated to occur only in those locations where sediment deposition occurs in amounts that harm or kill fish, and where fish are present in those locations. Sediment deposition in amounts causing take is anticipated to occur at instream work sites, up to 200 feet downstream, and in occasional patches elsewhere in the action area from transitory movement and storage of combined sediments from baseline sources and project activities. Developing embryos, larval steelhead present in gravels (alevins), and steelhead that have recently emerged from gravels (fry) within 200 feet downstream from instream work sites are likely to be harmed or killed by sediment deposition since these lifestages are incapable of escaping harmful effects. Within several months of emerging from gravels, juvenile steelhead are capable of moving out of areas affected by sediment or turbidity. Consequently, the number of juvenile steelhead older than 2 months post-emergence that are harmed or killed by sediment is likely to be low (but unquantifiable). The exposure of listed fish to patches of sediment deposition is anticipated to persist throughout the span of the project, and up to 10 years following sediment-producing activities (based on a 5-10 year estimate for sediment yield in the action to return to base levels or less).

The extent of take from instream work activities includes all instream work sites, from 50 feet upstream (where fish may be removed), to 200 feet downstream due to turbidity and flow alterations when channels are dewatered. Juvenile steelhead may be harmed or killed from instream work activities as a result of handling fish, dewatering streams, or stress from exposure to people, equipment, and channel and flow alterations (see preceding paragraph for take from sediment deposition at instream work sites). The Meadow Face Ecosystem Analysis at the Watershed Scale (NPNF, 1999) indicates the presence of approximately nine fish per 100 feet of stream, which allows a rough estimate of the number of fish exposed to a risk of take at each instream work site ($250 \text{ feet} \times 0.09 \text{ fish}/100 \text{ feet} = 23 \text{ fish}$). The number of fish harmed or killed during instream work is expected to be a small percentage of the fish exposed at each work site because electrofishing will be used to remove fish from the instream work sites, which eliminates the exposure of most fish to harmful or lethal effects of the instream activities. Mortality and injury from electrofishing and handling fish occurs on occasion, and is anticipated to occur in this project. Juvenile steelhead that evade capture by electrofishing face a high risk of mortality or injury from exposure to stranding in temporarily dewatered channels, crushing by equipment or materials moved in the stream, and severe stress. A portion of those fish evading capture are likely to be harmed or killed. Take associated with electrofishing is exempted under the 4(d) rule (July 10, 2000; 65 FR 42422) associated with IDFG's yearly research plan.

The proposed action is not anticipated to cause mass failures, or cause rilling or sheet erosion that would deliver sediment to stream channels in more than negligible amounts. The anticipated amount or extent of take would be exceeded if project activities causes: (1) rilling, mass failure or sheet erosion, attributable to project activities, that results in sediment delivery to steelhead habitat and produces turbidity or sedimentation in an amount likely to harm or kill steelhead (e.g. smothering incubating eggs, hindering feeding, or reducing cover), or (2) increased fine sediment deposition (particles less than 6.35 mm) in steelhead habitat more than 200 feet downstream of instream work sites, and the increase is attributable to project activities.

In this Opinion, NMFS determined that amount or extent of incidental take anticipated to occur is not likely to result in jeopardy to the species.

B. Reasonable and Prudent Measures

NMFS believes the following reasonable and prudent measures (RPMs) are necessary and appropriate to minimize the likelihood of take of Snake River steelhead resulting from actions covered by this Opinion. The NPNF shall:

1. Implement the State of Idaho's Best Management Practices (BMPs), the project design criteria and mitigation measures contained in the Record of Decision, and measures contained in the BA to minimize negative impacts in the riparian area and stream channel.
2. Avoid or minimize incidental take from instream work by excluding fish from instream work areas and avoiding spawning areas.
3. Develop and implement a monitoring plan designed to: demonstrate implementation of the terms and conditions, detect instances where rilling, mass failures or sheet erosion associated with activity areas has resulted in sediment delivery or potential delivery to steelhead habitat, or detect instances of increased fine sediment deposition in steelhead habitat associated with project activities (except for downstream areas within 200 feet of instream work sites).
4. Prepare an annual monitoring report, and use the report as an adaptive management strategy to adjust activities based on monitoring results and new information regarding the effects of the Meadow Face Stewardship Project on steelhead or critical habitat.
5. Ensure activities that directly restore or improve fish habitat have priority for implementation, both in timing and extent, to ensure an upward trend in fish habitat/water quality.

C. Terms and Conditions

The following terms and conditions set forth the specific methods by which the reasonable and prudent measures (RPM) are to be accomplished. To be exempt from the prohibitions of section 9 of the ESA, the NPNF must comply with the following terms and conditions, which implement the RPMs described above. The measures described below are non-discretionary.

1. Terms and Conditions for RPM 1

The NPNF shall implement BMPs to minimize impacts in the riparian area and stream channel using the terms and conditions listed below. Many of these terms and conditions reinforce, and make explicit, the practices that are described in the BA, or that have been standard practices on the NPNF. Others are unique to this consultation and have been added by NMFS.

a. Terms and Conditions Applicable to All Proposed Activities

- (1) Review and approve designs and plans of operation for any activity implemented through private contract. Ensure designs and plans incorporate design criteria, BMPs, Forest Plan standards, and ESA requirements. Review would assure interdisciplinary participation and, as needed, participation of regulatory agencies.
- (2) Restrict cattle use and distribution to protect recently disturbed or revegetated areas from trailing or trampling by cattle.
 - (a) Prevent cattle damage to restored areas by excluding or restricting cattle use of, or access to, restored areas until the vegetation has been reestablished to the point that the areas can withstand cattle use without damage to the soil or vegetation.
 - (b) Annually review project implementation schedule and identify areas/actions susceptible to impacts from cattle.
 - (c) Adjust annual operating instructions for active allotments to accommodate resource protection needs identified above. Adjustments may include avoidance of identified areas through fencing or herding or timing restrictions. Where avoidance is recommended, alternate grazing areas should be considered for use on a temporary basis.
- (3) Minimize erosion and sedimentation on disturbed areas through use of approved standard methods and materials, such as weed free straw mulch, placement of woody debris or slash, application of seed (annual and native seed species), and planting shrubs and forbs. This would include using straw bales, silt fencing, or slash filter windrows on disturbed slopes adjacent to streams and seed mixes and vegetation species approved for use on the NPNF.

b. Terms and Conditions Applicable to Specific Activities.

For the items in the following categories, the NPNF will:

(1) Road Decommissioning

- (a) Reconstruct valley bottom and channel configurations to approximate the natural condition at all crossings. Ensure adequate channel width, slopes are returned to near natural contour, and stream grades returned to near natural condition. Install grade control structures if needed to meet objectives. Monitor implementation.
- (b) Employ seasonal controls and timing, and contract requirements, regarding operating conditions of decommissioning activities, to minimize potential for sediment production, which may effect fish species life stages. A NPNF fisheries biologist will review the proposed decommissioning activities and contract requirements.

(2) Road Maintenance

- (a) Comply with the requirements set out in the Programmatic Biological Assessment of the Road Management Program (USDA 1999a, pg. 118).
- (b) Provide frequent ditch relief structures to prevent road drainage water from running long distances to live water and intermittent streams.

(3) Temporary Road Construction

- (a) Construct roads to the minimum standard necessary to accommodate vehicle types, season of use, and resource protection.
- (b) Establish vegetation (grass and forbs) on cut and fill slopes of roads that will be in place more than one season.
- (c) Decommission temporary roads within three years following construction. Monitor implementation.
- (d) Locate temporary roads to avoid live water and landslide prone terrain. If avoidance of live water is not possible, design stream crossings consistent with the design criteria for stream crossings described below, in the BA, and in the Forest Plan Amendment 20.
- (e) Provide slash filter windrows where construction would provide benefits to nearby aquatic resources.

- (f) Prohibit public motorized vehicle use and allow only contractor and administrative vehicles on temporary road segments.

(4) Culvert Replacement and Stream Crossings

- (a) Provide for channel width, flow velocities, substrate condition, and stream gradients that approximate the natural channel and accommodate passage of fish and aquatic organisms. Consider and give preference to open-bottom arches and oversized culverts.
- (b) Comply with Forest Plan Amendment 20, which requires adequate fish passage and capacity to accommodate 100-year flows.
- (c) De-water culverts prior to replacement, when appropriate for the site.

(5) Trail Construction, Reconstruction and Maintenance

- (a) Trails will be constructed outside of RHCAs, except for locations where the trail crosses a stream, or where construction in the RHCA results in less impact to the stream than locating the trail outside the RHCA.
- (b) Site-specific effects of new trail stream crossings will be evaluated in the annual update of the subbasin BAs.
- (c) Maintenance of trails will follow the mitigation and design criteria in the programmatic trail maintenance biological assessment for the South Fork Clearwater River (USDA 1999c)

(6) Fuel Haul, Storage and Spill Containment

- (a) Prepare and implement a Spill Prevention Control and Countermeasures Plan (40 CFR 112) that incorporates the provisions described in the Meadow Face FEIS, prior to fuel hauling.

(7) Prescribed Fire

- (a) Annually report prescribed fire activities and related monitoring results as called for in the Programmatic Biological Assessment of the Fire Management Program (USDA 1999). If the monitoring shows effects that substantially differ from than those described in the BA, consultation will be re-initiated as described above in Section 3.6. Reinitiation of Consultation.
- (b) Comply with the requirements of the Programmatic Biological Assessment of Fire Management Activities (South Fork Clearwater Biological Assessment 1999a, pg. 97).

(8) Timber Harvest

- (a) Apply streamside and wetland RHCAs consistent with Forest Plan Amendment 20.
- (b) Remove no more than 20% of existing basal area and retain at least 120 square feet of basal area in Douglas fir/snowberry or drier habitat types and 180 square feet of basal area in Douglas fir/ninebark or moister habitat types within each acre of landslide prone area mapped or discovered during harvest unit layout. Apply the prescription evenly across the landslide prone acres and retain healthy trees with good rooting systems to maintain root strength across the slope. Active landslides and high-risk landslide prone areas would be avoided consistent with Forest Plan Amendment 20.
- (c) Restrict ground-based logging and skidding equipment to slopes 30% and less except for small slope breaks within units.
- (d) Use existing skid trails where feasible, otherwise designate skid trail locations to reduce soil compaction. In some situations where compacted soils on a trail or landing have created a small wetland (< 1 acre), use of the existing skid trail or landing may have fewer impacts than creating an additional trail or landing. Approval may be given on a case-by-case basis for use of existing skid trails or landings that have created wetlands. Approval will require a site visit by a fish biologist, hydrologist, or soils specialist.
- (e) Locate log landings consistent with Forest Plan Amendment 20 to minimize impacts to riparian areas (see item 4, above, for special considerations).

(9) Exotic Vegetation Management

- (a) Consult annually on weed treatment activities, until a programmatic consultation on weed treatments is developed. Thereafter the programmatic will be followed for all exotic vegetation management projects.

(10) Soil Restoration Activities

- (a) Conduct soil restoration activities during the normal dry season, and restrict to periods when soil moisture and weather are unlikely to exacerbate soil compaction or sediment production from the restoration activities.
- (b) Minimize disturbance from machinery by requiring hand work where machines would cause undue soil disturbance.
- (c) Retain areas of intact, functioning riparian vegetation where possible.
- (d) Protect disturbed areas with mulch, slash, or other ground cover, and use native seed or annual grasses to establish soil-stabilizing vegetation and prevent the spread of weeds. Apply seeds at the earliest opportunity for germination.

(11) Meadow Creek Slide Stabilization

- (a) Conduct work during the normal dry season.
- (b) Protect exposed soils with vegetation and mulch.

(12) Stream Restoration Activities

- (a) Conduct stream restoration activities in periods when soil moisture and weather conditions are unlikely to exacerbate soil compaction or sediment production from the restoration activities.
- (b) Minimize disturbance from machinery by designating access points and requiring hand work where machines would cause undue soil disturbance.
- (c) Permit tree felling in RHCAs only where that action would not affect Riparian Management Objectives for shade and woody debris recruitment. Tree felling within the RHCAs must have site-specific analysis to document that RMOs are maintained.
- (d) Revegetate disturbed areas with native seed or annual grasses to establish soil-stabilizing vegetation and prevent the spread of weeds.

- (e) Inspect heavy equipment daily to assure no leaking hydraulic fluid or fuel and oil exist.
- (f) Perform equipment maintenance in a designated location at least 200 feet from live water.

(13) Developed and Dispersed Recreation

- (a) Do not remove brush from streambanks, unless providing controlled access to the water.
- (b) No materials will be discharged into live water.
- (c) If hazard trees in RHCAs are needed to attain RMOs, as defined by PACFISH, they will be left on-site or will be felled with reasonable attempt to direct the tree into the stream to contribute to instream LWD.

2. Terms and Conditions for RPM 2

The NPNF will avoid or minimize take of fish from instream work areas through implementation of the following measures:

- a. In streams with live water, conduct instream work activities between July 1 and August 15 to avoid sediment deposition on steelhead redds and to avoid disturbing adult salmon. The work window may be adjusted on a site-specific basis with Level 1 team approval.
- b. If instream actions are likely to kill or injure steelhead, remove listed fish using electrofishing or nets, whichever approach is most effective in removing fish with the least potential for injury. Fish shall be safely transported downstream from the construction area, to the closest point where the fish are unlikely to be harmed by the instream activities.

3. Terms and Conditions for RPM 3

NPNF shall develop and implement a monitoring plan designed to: demonstrate implementation of the terms and conditions, detect instances where rilling, mass failures or sheet erosion associated with activity areas has resulted in sediment delivery or potential delivery to steelhead habitat, and detect instances of increased fine sediment deposition in steelhead habitat associated with project activities beyond the areas 200 feet downstream from instream work sites.

- a. By December 1, 2004, the NPNF shall develop and implement a monitoring plan for the activities included in the Meadow Face Stewardship Project. This monitoring plan shall be submitted to NMFS, prior to implementation, to determine that it provides for the following objectives:
 - (1) The existing baseline information in Meadow Creek is used to represent the existing condition, including 2000 monitoring in McComas Meadows (H. McRoberts, Master's Thesis), and past monitoring at Forest Plan and Snake River Adjudication Sites. The plan will evaluate the opportunity to continue to use these sites for monitoring the Meadow Face Stewardship Project activities.
 - (2) Evaluate the adequacy of the baseline information provided by the past monitoring at these sites in Meadow Creek, and determine if additional data collection is needed in 2004 to characterize the existing condition in Meadow Creek.
 - (3) Monitor the implementation of the Meadow Face Stewardship Project activities to the level necessary to determine whether rilling, mass failures or sheet erosion has occurred at project activity areas, and/or if there have been measurable increases in fine sediment deposition.
 - (4) Monitor instream substrate conditions in Meadow Creek, in steelhead spawning and rearing habitat, to determine if there has been a measurable increase in fine sediment (less than 6.35mm) deposition in areas beyond 200 feet of instream work sites.
 - (5) If the monitoring detects rilling, mass failures, or sheet erosion from project activity areas where sediment in an amount likely to harm or kill steelhead is delivered, or has the potential to be delivered, to steelhead habitat, the NPNF will immediately contact NMFS (208-983-3859) to arrange an immediate joint field site review to determine if take has been exceeded.
- b. The NPNF will submit to NMFS a draft of the monitoring plan no later than November 15, 2004, that includes:
 - (1) A map of instream substrate monitoring locations and description of sampling design.
 - (2) A description of substrate monitoring protocols.
 - (3) A description of protocols for monitoring in-stream activities, including culvert replacements, road decommission at stream crossings, and stream channel restoration.
 - (4) A description of the protocol to identify precipitation events in the action area that could potentially result in significant rilling, mass failures or sheet erosion.

- (5) A description of the protocol for sampling the action area following the identified precipitation events above to determine whether there has been significant rilling, mass failures or sheet erosion.
- c. The NPNF shall complete the monitoring plan described in term and condition 4.3.3(2) and implement the plan no later than December 1, 2004.
- d. The NPNF shall produce an annual report of the monitoring activities and results associated with the monitoring of the Meadow Creek Stewardship Project, and provide the report to NMFS by March 1 of each year, beginning in 2005, and including in the initial report any relevant monitoring implemented prior to 2005.
- e. The NPNF shall submit the monitoring report to: National Marine Fisheries Service, 102 N. College, Grangeville, Idaho 83530.

4. Terms and Conditions for RPM 4

The NPNF will prepare annual monitoring reports, and use the reports as part of an adaptive management strategy to adjust activities based on monitoring results and new information regarding the effects of the Stewardship Project on steelhead or critical habitat. Specifically, the NPNF will:

- a. Adhere to the proposed monitoring as described in the Meadow Face Stewardship Project BA.
- b. Annually report monitoring results as described in the Meadow Face Stewardship Project BA. The report shall identify in separate sections (1) any results indicating adverse effects of the action on steelhead or critical habitat; (2) persistence of adverse conditions that could be improved through modification of the proposed action, or through additional actions; and (3) recommended remedies to address the problems identified in items (1) and (2).
- c. Submit the reports to: National Marine Fisheries Service, 102 N. College, Grangeville, Idaho 83530.

5. Terms and Conditions for RPM 5

The NPNF will ensure activities that directly restore or improve fish habitat have priority for implementation, both in timing and extent, to ensure an upward trend in fish habitat/water quality. The NPNF shall:

- a. Track those project activities that have been completed, and those that are uncompleted in a display showing the following categories: (1) activities that directly restore or improve fish habitat, including road decommissioning, trail conversions, stream channel restoration, soil rehabilitation, slide stabilization, and culvert replacements, and (2) activities that do not directly restore or improve fish habitat, including road construction, timber harvest, and prescribed burns.
- b. Establish checkpoints at years 3, 6, and 9 of the project to evaluate and report the progress and accomplishment in each of the two categories above. Determine how the level of activities in category 1 is progressing as compared to category 2 activities. At each checkpoint, report what activities have been completed, along with what activities are planned for the next 12 months.
- c. If a checkpoint indicates that implementation/completion of the category 1 activities (those that directly benefit fish) lags behind the implementation and/or completion of category 2 activities (by percentage of tasks completed in each category or some similar relative measure), within 30 days of the date of the checkpoint, submit a course of action to NMFS that would make up the deficit of category 1 activities no later than one year after the date of the checkpoint.
- d. Submit checkpoint reports to: National Marine Fisheries Service, 102 N. College, Grangeville, Idaho 83530.